

REMARKS

Reconsideration of the pending claims is respectfully requested in view of the following observations.

1. In the claims

Claim 29 is currently amended to indicate that the wear resistant surface layer and the decorative covering layer are substantially free from conductive fillers in the form of fibers. Support for this amendment to claim 29 can be derived from the following sections in the specification.

- The specification explains at page 1, lines 17-31 that known floor panels including conductive fillers have disadvantageous properties, including being attributed to undesirable levels of electrostatic discharge.
- The specification explains at page 2, lines 16-20 that it is the intent of the present invention to avoid the disadvantages of known floor panels.
- The specification explains at page 2, lines 22-32 that it is the purpose of the present invention is described in part as selecting suitable antistatic agents that do not exhibit the disadvantageous properties of agents used in known floor panels.
- The specification explains at page 4, line 34 through page 5, line 3 that the agent used in the antistatic agent of the present invention can be dissolved in water or another solvent.
- The specification explains at page 17, line 21 through page 18, line 8 that the additional introduction of conductive fillers into the floor panel is described as an option.

It is submitted that the amendment to claim 29 does not introduce new matters, and that it is clear from these cited passages that the skilled person would understand from the specification that the wear resistant surface layer and the decorative covering layer are substantially free from conductive fillers in the form of fibers.

Entry of the amendment to claim 29 is respectfully requested in the next Office communication.

2. Rejection of the pending claims under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 4,724,187 (*Ungar*)

Reconsideration of the rejection of the pending claims as lacking novelty over *Ungar* is kindly requested in view of the amendment to independent claim 29 and the following observations.

At the onset, the applicant stands by the previously submitted remarks in the reply dated March 12, 2008. However, in order to expedite the examination of the pending application, independent claim 29 has been amended to be even more distinguishable over *Ungar*. Claims 39-43 have been cancelled without prejudice or disclaimer.

At the onset, claim 29 is amended to clarify that the method of claim 29 requires a floor panel including soluble antistatic agents as opposed to the solid antistatic agents employed by *Ungar*.

In observing *Ungar*, it is clear that *Ungar* describes a laminate flooring panel including a conductive filler in the form of carbon fillers. This is particularly clear from the express teachings of *Ungar* at column 2, line 64 through column 3, line 13. It is also readily apparent from each of the four examples provided by *Ungar* beginning at column 4, line 63 that carbon-based fillers are used in the laminate flooring thereof. The use of these carbon-based fillers serve to achieve the express objectives of the invention of *Ungar* of providing an antistatic effect in a laminate flooring, as discussed at column 2, lines 6 – 24.

Contrary to the disclosure of *Ungar*, the pending application criticizes the use of conductive fillers of the type in the laminate flooring of *Ungar* (see page 1, lines 17-31). Such conductive fillers are described in the specification as having disadvantageous effects, and the solution provided in the specification, as described in the pending claims, seeks to overcome these disadvantages in the prior art by effectively using soluble antistatic agents.

In view of the amendment to claim 29, it is therefore submitted that *Ungar* does not disclose or suggest a laminate flooring panel wherein the wear resistant surface layer and the decorative covering layer are substantially free from conductive fillers in the form of fibers. Indeed, it is shown that the laminate flooring of *Ungar* is contrary to the particular structure required by claim 29.

In view of these observations, it is submitted that claim 29 and the claims dependent therefrom are not anticipated by *Ungar*. As a result, withdrawal of the rejection of these claims is respectfully requested.

3. Conclusion

As a result of the amendment to claim 29, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,



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